

Sub
71

- (b) a vitamin orally administered in a dose effective to reduce the migration of cholesterol into the endothelium, wherein said multivitamin comprises at least one vitamin selected from the group including niacin, vitamin C, vitamin E, vitamin A, and vitamin B₆.

28. A medicament as defined in claim 27, wherein said multivitamin contains between about 10 percent and 200 percent of the United States Recommended Daily Allowance of at least one vitamin selected from the group consisting of vitamin A, vitamin B₆, vitamin C, vitamin E, and niacin.

29. A medicament as defined in claim 27, wherein said effective dose of aspirin is between about 20 milligrams and about 325 milligrams of aspirin per day.

REMARKS

The Examiner made a restriction requirement under 35 U.S.C. 121, asserting that the claims were drawn to a synergistic combination even though the claims 11-26 currently pending in the application were all method claims directed to a method of ameliorating or treating atherosclerosis. It is believed that the method claims and composition of matter claims inserted by the foregoing amendment comprise a single inventive concept that may all properly be presented in a single application and that the restriction requirement will lead to an undue multiplication of patent applications with the concomitant burden on applicant in fees and expenses of duplicative prosecution. In any event, three composition of matter claims 27 – 29 have been added to the application and are provisionally elected.

No mailing date was provided on the restriction requirement and a telephone messages left to Examiner Criares asking for the mailing date were not returned. Based on the receipt date of November 5, it is not believed that the mailing date was earlier than November 1, 1999, and so this response is believed to be timely.

Respectfully submitted,

Kent A. Herink

Date: 11/30/99

By: _____

Kent A. Herink
Registration No. 31,025
DAVIS, BROWN, KOEHN,
SHORS & ROBERTS, P.C.
666 Walnut St., Suite 2500
Des Moines, Iowa 50309
Telephone: (515) 288-2500

ATTORNEYS FOR APPLICANT

CERTIFICATE OF FACSIMILE FILING

I hereby certify that this correspondence is being transmitted by facsimile to the 1600 Group Receptionist at facsimile number 703-308-2742 on November 30, 1999.

Kent A. Herink

Kent A. Herink